

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Case No. 10-42015

DONALD SMITH, *pro se*,

Chapter 7

Debtor.

Judge Thomas J. Tucker

_____ /

ORDER DENYING MOTION FOR RECONSIDERATION

This case comes before the Court on Debtor's "Motion to Reinstate Bankruptcy," filed on February 9, 2010 (Docket # 18, the "Motion"), which this Court construes as a motion for reconsideration of, and for relief from, the February 3, 2010 Order dismissing this case (Docket # 15), and

The Court having reviewed and considered the Motion,

The Court finds the Motion fails to demonstrate a palpable defect by which the Court and the parties have been misled, and that a different disposition of the case must result from a correction thereof. *See* Local Rule 9024-1(a)(3).

The Court also finds that the allegations in the Motion do not establish excusable neglect under Fed.R.Civ.P. 60(b)(1), FedR.Bankr.P. 9024, or any other valid ground for relief from the order dismissing this case.

In addition, the Court notes the following. In addition to failing to file the creditor mailing matrix by the February 2, 2010 deadline (it was filed only after dismissal of this case, on February 9, 2010,) the Debtor has failed to file another required document, which was due no later than February 10, 2010 — namely, the Declaration Under Penalty of Perjury for Debtor(s) Without an Attorney (*see* Notice of Missing Documents at Docket # 10).

NOW, THEREFORE,

IT IS ORDERED that the Motion should be, and is, DENIED.

Signed on February 11, 2010

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge